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PARALEGALS:
LIBBY BELT
ANDREA M. SCALES
CAFFI M. KIRK
LAURA R. PERRY

* ALSO ADMITTED IN INDIANA



April 3, 2000

VIA OVERNIGHT MAIL

Mr. K. David Waddell
Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

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EXECUTIVE SECRETARY

PAID T.R.A.	
Chk #	<u>3074</u>
Amount	<u>25.00</u>
Rcvd By	<u>JR</u>
Date	<u>4-4-00</u>

RE: Application of Memphis Networx, LLC for a Certificate of Public Convenience and Necessity to Provide Interstate Telecommunication Services and Joint Petition of Memphis Light, Gas & Water Division, a Division of the City of Memphis, Tennessee ("MLG&W") and A&L Networx-Tennessee, LLC ("A&L") for Approval of an Agreement Between MLG&W and A&L Regarding Ownership of Memphis Networx, LLC

TRA Docket No. 99-00909

Dear Mr. Waddell:

Please find enclosed an original and thirteen (13) copies of the Petition to Intervene on behalf of the International Brotherhood of Electrical Workers Union ("IBEW"). Local 1288. Also attached is our check in the amount of \$25.00. Copies have been served on all parties of record.

Sincerely,

ALLEN, GODWIN, MORRIS,
LAURENZI & BLOOMFIELD, P.C.

LEE J. BLOOMFIELD
Attorney at Law

LJB:cmk
Enclosures

cc: Richard Collier, Esquire, Tennessee Regulatory Authority
D. Billye Sanders, Esquire, Waller, Lansden, Dortch & Davis
John Knox Walkup, Esquire, Wyatt, Lansden, Dortch & Davis
Ward Huddleston, Memphis Networx
J. Maxwell Williams, Esquire, MLG&W
Henry Walker, Esquire, Boulton, Cummings, et al.
Charles B. Welch, Esquire, Farris, Mathews, et al.

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BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

REC'D TH
REGULATORY AUTH.

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COMM. SEC.
EXECUTIVE SECRETARY

IN RE:)
)
APPLICATION OF MEMPHIS)
NETWORK, LLC FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND)
NECESSITY TO PROVIDE INTERSTATE)
TELECOMMUNICATION SERVICES)
AND JOINT PETITION OF MEMPHIS)
LIGHT, GAS & WATER DIVISION,)
A DIVISION OF THE CITY OF)
MEMPHIS, TENNESSEE ("MLG&W"))
AND A&L NETWORKS-TENNESSEE,)
LLC ("A&L") FOR APPROVAL OF)
AN AGREEMENT BETWEEN MLG&W)
AND A&L REGARDING OWNERSHIP)
OF MEMPHIS NETWORK, LLC.)

DOCKET NO. 99-00909

PETITION TO INTERVENE

COMES NOW your Petitioner, the International Brotherhood of Electrical Workers, Local 1288, ("IBEW") and pursuant to T.C.A. § 4-5-310, respectfully petitions the Tennessee Regulatory Authority ("TRA") to permit it to intervene in the above Docket. In support of its Petition to Intervene, the IBEW states as follows:

1. The IBEW is a labor organization representing approximately 1200 non-management employees of Memphis Light, Gas & Water ("MLG&W").
2. MLG&W is a public entity, specifically a municipal corporation, and is a division of the City of Memphis.
3. The IBEW submits that the intervention sought in this proceeding is in the interest of justice for the following reasons:

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- a. The terms and conditions of the employment of IBEW's members are governed by a Memorandum of Understanding negotiated between The IBEW and MLG&W. As MLG&W is a public entity, the National Labor Relations Board does not have jurisdiction over labor relations between the the IBEW and MLG&W. If MLG&W enters into a joint employer relationship with a private entity, issues would arise as to whether or not the new entity is public or private and what law would govern. Furthermore, there are certain provisions of the Memorandum of Understanding which could be impacted by the TRA's decision in the above Docket.
- b. As the outcome of this proceeding may affect labor relations between the IBEW, MLG&W, and the proposed new entity, the interests and legal rights of the members of the IBEW, as well as those of the general public, may be impacted by the outcome of this proceeding. The interest of the members of the IBEW will not be adequately represented unless it is allowed to intervene.
4. The IBEW submits that the intervention sought is permitted by statute and will not impair or delay a prompt conduct of the proceedings.
5. Hearings in this Docket are scheduled for April 13th and 14th, 2000, and therefore this Petition is filed more than seven days prior to the hearing in this Docket as required by statute.

THEREFORE, FOR THE FOREGOING REASONS, IBEW respectfully requests the TRA permit it to intervene in this Docket and become a party in this cause.

Respectfully submitted,

ALLEN, GODWIN, MORRIS,
LAURENZI & BLOOMFIELD, P.C.
200 Jefferson Avenue, Suite 1400
Memphis, Tennessee 38103
(901) 528-1702

BY: 
LEE J. BLOOMFIELD #8851

BY: 
DEBORAH GODWIN #9972

CERTIFICATE OF SERVICE

I, Lee J. Bloomfield, do hereby certify that on April 3, 2000, a copy of the foregoing document was served on the parties of record listed below via facsimile and U.S. Mail, postage prepaid, first class.

Richard Collier, Esquire
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0500

D. Billye Sanders, Esquire
Waller, Lansden, Dortch & Davis
511 Union Street, Suite 2100
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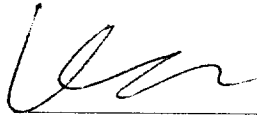
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Nashville, TN 39219-8062

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Farris, Mathews, et al.
205 Capitol Blvd., Suite 303
Nashville, TN 37219

A handwritten signature in black ink, appearing to read 'Lee J. Bloomfield', is positioned above a horizontal line.

LEE J. BLOOMFIELD